

**MINUTES FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

December 1, 2006

DIVISION ONE

B183504 Indian Ridge Crest Gardens (Not for Publication)
 v.
 City of Rancho Palos Verdes et al.

The judgment is affirmed.

Jackson, J. (Assigned)

We concur: Mallano, Acting P.J.
 Vogel (Miriam A.), J.

B187715 People (Not for Publication)
 v.
 Washington

The judgment is modified to give defendant 61 additional days of custody credit. As so modified, the judgment is affirmed. The clerk of the court is directed to prepare an amended abstract of judgment and forward a copy to the Department of Corrections.

Jackson, J. (Assigned)

I concur: Rothschild, J.
I concur & dissent: Vogel (Miriam A.), Acting P.J. (Opinion)

December 1, 2006 (Continued)

DIVISION TWO

[illegible]

The judgment is affirmed.

Chavez, J.

We concur: Boren, P.J.
 Doi Todd, J.

DIVISION THREE

B187102 People v. Leon (Not for Publication)

The judgment is affirmed.

Kitching, J.

We concur: Klein, P.J.
Aldrich, J.

B189967 People (Not for Publication)
v.
Barrios

The judgment is affirmed.

Kitching, J.

We concur: Klein, P.J.
Aldrich, J.

DIVISION THREE (Continued)

B185988 People (Not for Publication)

V.

Sibley

The judgment is reversed and the matter is remanded with the following directions. Following remand, and consistent with the views expressed in this opinion, the trial court must conduct an in camera inspection of the requested personnel records of Los Angeles Police Officers Peter McCoy, P. Flaherty (serial number 32266) and Dan Strojny for relevance. If the trial court's inspection remand reveals no relevant information, the trial court must reinstate the judgment of conviction. If the inspection reveals relevant information, the trial court must order disclosure, allow appellant an opportunity to demonstrate prejudice, and order a new trial if there is a reasonable probability the outcome would have been different had the information originally been disclosed. If appellant fails to demonstrate prejudice, the trial court must reinstate the judgment. (Cf. *People v. Johnson*, supra, 118 Cal.App.4th at pp. 304-305; *People v. Hustead*, supra, 74 Cal.App.4th at pp. 418-423.)

Kitching, J.

We concur: Klein, P.J.
Aldrich, J.

December 1, 2006 (Continued)

DIVISION FOUR

[illegible]

Both judgments are modified to delete the 10-year gang enhancement imposed under section 186.22, subdivision (b)(1)(C). As so modified, the judgments are affirmed. The trial court is directed to prepare amended abstracts of judgment and to forward a copy of the modified abstracts to the Department of Corrections.

Manella, J.

We concur: Willhite, Acting P.J.
Suzukawa, J.

DIVISION FIVE

B186152 People (Certified for Publication)
v.
Eric Balkin

The judgment is reversed.

Turner, P.J.

We concur: Armstrong, J.
 Mosk, J.

DIVISION SEVEN

Court convened at 9:00 a.m.

Present: Perluss, P.J., Johnson, J., Woods, J., Zelon, J. and Eva McClintock, Deputy Clerk.

DIVISION SEVEN (Continued)

Each of the following:

B188931 DCFS v. Christopher S.
B190055 DCFS v. Tiffany M.
B190178 DCFS v. Luis R.
B191575 DCFS v. Robert S.
B191639 DCFS v. Robert W.

Argument waived, cause submitted.

B191173 Los Angeles County, D.C.S.
 v.
 Mike H.

Merits:

Argued by Richard Pfeiffer for appellant and by Fred Klink, Deputy
County Counsel for respondent. Cause submitted.

B190161 Fan
 v.
 Zhu

Merits:

Jian Chun Zhu appellant in propria persona submitted on her briefs. No
appearance for respondent. Cause submitted.

B184551 Lindner
 v.
 Praxair Distribution

Merits:

Argued by Michael Sofris for appellant and by Anthony Alden for
respondent. Cause submitted.

DIVISION SEVEN (Continued)

B189232 Del Prado et al.,
 v.
 THC Orange Co.

Merits:

Argued by Bruce Nelson for appellant and by Marsha Barr-Fernandez for respondents. Cause submitted.

Court recessed at 9:39 a.m.

Court reconvened at 10:00 a.m.

Present: Perluss, P.J., Johnson, J., Woods, J., Zelon, J. and Eva McClintock, Deputy Clerk.

B193484 Milton A. v. SCLA

Argument waived, cause submitted.

B193042 Medeiros
 v.
 Superior Court, Los Angeles County
 (Health Net of California, r.p.i.)

Merits:

Argued by Jeffrey Ehrlich for petitioners and by Elise Klein for real party in interest. Cause submitted.

B186227 El Dorado Cantina et al.,
 v.
 Novian et al.,

Merits:

Argued by Danny Morin for appellants and by Thomas Dressler for respondents. Cause submitted.

December 1, 2006 (Continued)

DIVISION SEVEN (Continued)

B193907 DCFS

v.

Superior Court, Los Angeles County
(David P. and Maurice G., r.p.i.)

Merits:

Argued by Tracey Dodds, Deputy County Counsel for petitioner and by
Robert DeKlerk and Charles Lindner for real parties in interest and by
Jenny Chung for respondent minor. Cause submitted.

Court adjourned.